

**CASE NO.: 19-12745**

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

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**INTERNATIONAL BROTHERHOOD OF TEAMSTERS, LOCAL 947,**

**Petitioner,**

**-AND-**

**MATTHEW C. BROWN, AN INDIVIDUAL,**

**Intervenor,**

**v.**

**NATIONAL LABOR RELATIONS BOARD,**

**Respondent,**

**-AND-**

**ANHEUSER-BUSCH BREWING PROPERTIES, LLC,**

**Intervenor.**

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**ON APPEAL FROM THE NATIONAL LABOR RELATIONS BOARD  
REGION 12, CASE NO. 12-CA-094114**

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**SUPPLEMENTAL APPENDIX OF INTERVENOR  
ANHEUSER-BUSCH BREWING PROPERTIES, LLC, VOLUME I of I**

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Counsel for Intervenor  
Anheuser-Busch Brewing Properties, LLC

**CERTIFICATE OF INTERESTED PERSONS AND CORPORATE  
DISCLOSURE STATEMENT**

Pursuant to Eleventh Circuit Rule 26.1-1, the undersigned counsel of record certifies that the following is a complete list of all trial judges, attorneys, persons, associations of persons, firms, partnerships, or corporations that have an interest in the outcome of the particular case or appeal, including subsidiaries, conglomerates, affiliates, parent corporations, any publicly held corporation that owns 10% or more of the party's stock, and other identifiable legal entities related to a party:

1. Altria Group, Inc. (NYSE: MO), Shareholder owning more than 10% of stock in Anheuser-Busch InBev S.A./N.V.
2. Anheuser-Busch Brewing Properties, LLC, Intervenor/Employer
3. Anheuser-Busch InBev S.A./N.V. (NYSE: BUD and OTC: BUDFF), Parent of Anheuser-Busch, LLC
4. Anheuser-Busch, LLC, Parent of Intervenor/Employer Anheuser-Busch Brewing Properties, LLC
5. Brown, Matthew, Intervenor/Charging Party
6. Cates, The Honorable William Nelson, Administrative Law Judge
7. Cohen, David, Regional Director, Respondent National Labor Relations Board ("NLRB"), Region 12

8. Egan, Joseph, Attorney for Petitioner International Brotherhood of Teamsters, Local 947 (“Local 947”) and International Brotherhood of Teamsters, Brewery, and Soft Drink Workers Conference (“Union”)
9. Emanuel, William, Member, Respondent NLRB
10. Habenstreit, David, Attorney for Respondent NLRB Appellate Branch
11. International Brotherhood of Teamsters, Local 947, Petitioner
12. International Brotherhood of Teamsters, Brewery, and Soft Drink Workers Conference, Petitioner
13. Klink, Jeffrey, Attorney for Intervenor/Charging Party Matthew Brown
14. Lev, Tobe, Attorney for Petitioner Union and Local 947
15. McFerran, Lauren, Member, Respondent NLRB
16. Ring, John, Chair, Respondent NLRB
17. Robb, Peter, General Counsel for Respondent NLRB
18. Schudroff, Daniel D., Attorney for Intervenor/Employer Anheuser-Busch, LLC and Anheuser-Busch Brewing Properties, LLC
19. Siwica, Richard, Attorney for Petitioner Union and Local 947
20. Spitz, Jonathan J., Attorney for Intervenor/Employer Anheuser-Busch, LLC and Anheuser-Busch Brewing Properties, LLC
21. Vol, Kira Dellinger, Attorney for Respondent NLRB Appellate Branch
22. Weitz, Eric, Attorney for Respondent NLRB Appellate Branch

Pursuant to Eleventh Circuit Rule 26.1, and to enable the members of this Court to evaluate possible disqualification or recusal, the undersigned counsel for Anheuser-Busch Brewing Properties, LLC hereby certifies that Anheuser-Busch Brewing Properties, LLC's parent corporation is Anheuser-Busch, LLC, whose ultimate parent corporation is Anheuser-Busch InBev S.A./N.V. (NYSE: BUD and OTC: BUDFF), a publicly held corporation. Altria Group, Inc. (NYSE: MO) is a publicly traded corporation that owns 10% or more of Anheuser-Busch InBev S.A./N.V.'s stock.

**VOLUME I of I**

<b>Tab No.</b>	<b>Description</b>
1	Notice of Violation, Plant Rules and Regulations, 9/23/09 (Joint Exhibit No. 6)
2	Grievance #094-09-J (Joint Exhibit No. 7)

## **Tab 1**

# JOINT EXHIBIT 6

Pg: 1/1

89-23-89 21:38

JACKSONVILLE BREWERY

Fax sent by : 904 751 8879



Notice of Violation  
Plant Rules and Regulations

(Exhibit A)

from HR  
9-23-09

Brewery/Plant: JACKSONVILLE BREWERY  
Department: FRGING & SHIP  
Occupation: PRODUCTION

Name: MATT BROWN SAP/PERS Number: 00194827

On 09/08/2009, you were observed to be in violation of  
High Level Reason: Performance > Refusal to Perform  
Additional Reason # 1:  
Additional Reason # 2:  
Additional Reason # 3:

On 9-8-09, you refused to comply with your manager's instruction and direct order to go to your job assignment on Line 1 Filler.

Date	Infraction	Discipline
10/17/2007	High Level Reason : Performance > Unsafe Behavior	Discipline Result : Reprimand

Proposed Discipline: Suspension 004 week(s)

Future violations of company rules will result in more severe discipline, up to and including discharge.

[Signature]  
Employee Signature\*  
[Signature]  
Shop Steward Signature\*

9-23-09  
Date  
9-23-09  
Date

[Signature]  
Supervisor Signature

9/23/09  
Date

\*Signature only acknowledges receipt of notice



## **Tab 2**

# JOINT EXHIBIT 7

(Exhibit B)

AFFILIATED WITH

INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA

**Teamsters, Brewery and Soft Drink Workers, Bakery, Dairy and General Sales Employees**

LARRY E. KNOUSE  
SECRETARY-TREASURER  
BUSINESS MANAGER

LOCAL UNION



NUMBER 947

T. KEVIN HOGAN  
PRESIDENT

Interstate North Office Center

435 Clark Road, Suite 101, Jacksonville, Florida 32218-5558 • Phone 904/764-7756 • FAX (904) 764-7096

Grievance # 094-09-J

Date: 09-25-09

Grievant: Matt Brown

Shop Steward: James Scott

Article and section of

Contract violated: Article 5, 8, and any other applicable provision.

Department: B.P. &S.

Date of Violation:

Statement of Grievance: This discipline was issued untimely therefore The Union and Mr. Brown expect this discipline to be removed from Mr. Brown's file. As The Company was put on notice of The Union's expectation's as per letter dated June 30, 2009, that effective July 1, 2009 the Union would require the time limits as outlined in article 8, of the C.B.A. up to but not including the step II level. In addition the Union and Mr. Brown disagree with the N.O.V as stated.

Relief Sought: The Union will consider this discipline removed from Mr. Brown's file promptly.

Matt Brown

Grievant

  
Union Representative

2019-10-21 12:13 PM

Vs: 1289  
Exhibit: 00

*Anheuser-Busch, Inc.*  
ONE OF THE ANHEUSER-BUSCH COMPANIES

October 21, 2009

Mr. Larry Knouse  
Teamsters Local 947  
Interstate North Office Center  
435 Clark Road, Suite 101  
Jacksonville, FL 32218-5558

SENT VIA FACSMILE

Re: Grievance #J-094-09 - M. Brown- 4 Week Suspension

Dear Larry

Please accept this correspondence as the Company's Step 2 response for the above Grievance.

We believe the discipline was issued for just and sufficient cause. During the meeting Mr. Brown stated that he refused to comply with the supervisor 3 times when asked to return to his line.

The grievance is denied.

Sincerely,



Beth Villani  
Asst. Manager, People Department

cc: SMT

Fax from :

12-10-09 06:23 Pg: 6

MULTI-PLANT GRIEVANCE COMMITTEE

Established in accordance with the terms and conditions of the collective bargaining agreements by the National Conference of Brewery and Soft Drink Workers, and its affiliated Local Unions: 96, 267, 284, 633, 919, 947, 1129 & 1149 affiliated with the International Brotherhood of Teamsters (IBT) and Anheuser-Busch, Inc.

Docket No. J-16-09Teamsters Local # 947 and JACKSONVILLE  
(Plant)

We, the undersigned, parties to the collective bargaining agreements referred to in the paragraph above, hereby agree to submit the dispute for decision under the Rules of Procedure prescribed by the Multi-Plant Grievance Committee, by virtue of its authority, as set forth in the Article VIII of the above-mentioned collective bargaining agreements, the following:

The undersigned further agree that a majority decision of the Multi-Plant Grievance Committee in the above dispute will be final, conclusive and binding with no appeal and, further, that neither party will attempt, through any overt acts, to void the decision rendered.

Date 12-9-09Plant JACKSONVILLESigned by [Signature]Title People MgrLocal Union Teamsters Local 947Signed by [Signature]Title Self/Trns Business ManagerDECISION

Please see attached

The above is the decision rendered in executive session by a majority of the panel.

Employer Co-Chairman

Neutral

Union Co-Chairman

Date

J-16-09  
Decision

Fax from :

12-10-09 06:23 Pg: 7

J.16.09

Refusal of a work order is one of the most serious industrial offenses. The grievance is denied.

**CERTIFICATE OF SERVICE**

I hereby certify that on December 24, 2019, I caused to be served a true and correct copy of the within and foregoing **SUPPLEMENTAL APPENDIX OF INTERVENOR ANHEUSER-BUSCH BREWING PROPERTIES, LLC** via the Court's electronic case filing system which will automatically serve the following counsel of record:

David Habenstreit  
Kira Dellinger Vol  
Eric Weitz  
National Labor Relations Board,  
Appellate Court Branch  
1015 Half St., SE  
Washington, DC 20570  
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I hereby certify that on December 24, 2019, I caused to be served a true and correct copy of the within and foregoing **SUPPLEMENTAL APPENDIX OF**

**INTERVENOR ANHEUSER-BUSCH BREWING PROPERTIES, LLC** via

U.S. Mail, postage pre-paid, upon the following:

David Cohen  
Regional Director  
National Labor Relations Board  
201 E. Kennedy Blvd., Suite 530  
Tampa, FL 33602  
[dcohen@nrlrb.gov](mailto:dcohen@nrlrb.gov)

By: /s/ Jonathan J. Spitz  
Jonathan J. Spitz  
Georgia Bar No. 672360